

Application No. 09/425,767
Amendment dated July 21, 2005
Reply to Notice of Non-Compliant Amendment of July 11, 2005

Docket No. 1212-4582

REMARKS

Applicants respectfully request reconsideration of this application in view of the following remarks.

A Notice of Non-Compliant Amendment has been issued for this application on July 11, 2005. The Notice indicates that "Applicant does not show a support for the amendments filed on 02 May 2005 (e.g. which pages or figures in the specification support 'search an image in the memory by the additional information, not by the photographing conditions, and then transfer photographing conditions corresponding to the searched image to the image sensing apparatus.')". The Notice also indicates that "Applicant does not state which new claims 74-88 are readable on the elected species (Figures 19-34C)."

Applicants believe that the notice is partly improper because there is no affirmative requirement in the MPEP to show a support for added claims. Applicants nonetheless respond to the Notice of Non-Compliant Amendment in this regard to expedite the prosecution of this application. Accordingly, Applicants respectfully submit that the Notice is hereby satisfied and respectfully request that the Examiner enters the May 2, 2005 Amendment in its entirety and issues an Action on the merits thereof.

Applicants submit that the support for the added claims (i.e., claims 74-88) can be found throughout the original specification. By way of non-limiting example, page 54, line 14 through page 56, line 23 along with Figs. 32, 33 and 34 of the original specification describes one illustrative method of searching for the photographing condition and photographing status stored with being linked with a sample image.

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Applicants believe that all of the added claims (i.e., claims 74-88) are readable on the elected species (i.e., Figs. 19-34C).

For the reasons as set forth in Applicants' May 2, 2005 Amendment, Applicants believe that the application with the added claims is in condition for allowance and such action is respectfully requested.

AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4582). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN LLP

Dated: July 21, 2005

By: 
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For the reasons as set forth in Applicants' May 2, 2005 Amendment, Applicants believe that the application with the added claims is in condition for allowance and such action is respectfully requested.

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